

REMARKS

This Amendment is submitted in response to the Restriction Requirement dated October 2, 2003. Claims 4, 9 through 11, 17, 18 and 20 have been amended. New claims 21 through 29 have been added. The application now includes claims 1 through 29, with claims 1, 11 and 20 being independent claims. Favorable consideration of the application, as amended, is respectfully requested.

In the Restriction Requirement, the Examiner stated that restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1 through 10 drawn to a method of forming a finish on a wheel, classified in class 427, subclass 407.1; or

II. Claims 11 through 20 drawn to a wheel with a multi-layered finish, and a finish for a wheel, classified in class 428, subclass 411.1.

The Examiner stated that Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process. In the instant case the process as claimed can be used to coat other products besides wheels, and the product as claimed does not require any of the layers to be cured as set forth in the process.

Applicants elect with traverse, Invention II, claims 11 through 20 drawn to a wheel with a multi-layered finish, and a finish for a wheel.

Applicants note that independent claim 1 clearly recites depositing a base layer formed from an organic material onto at least a portion of a surface of a *vehicle wheel* (emphasis added). Thus, applicants believe that the process as claimed applies only to vehicle wheels and cannot be used to make an other and materially different product since such an application would require applying an organic material to an object that is not a vehicle wheel. Additionally, applicants have amended independent claims 11 and 20 to recite a first layer formed from a cured organic material. Accordingly, the amended claims do require that one of the layers be cured as set forth in the process. In conclusion, applicants believe that the process as claimed can only be used to make

the product as claimed and that the product as claimed can only be made by the process as claimed. Accordingly, applicants respectfully request that the Examiner withdraw his Restriction Requirement and examine claims 1 through 20.

Applicants have added new claims 21 through 29. Each of the new claims recites limitations stated in the specification. Accordingly, claims 21 through 29 introduce no new matter. Claims 21 through 25 are drawn to a process for forming a finish on a vehicle wheel. Therefore, applicants believe that claims 21 through 25 are included in Invention I above. Claims 26 through 29 are drawn to a vehicle wheel finish. Therefore, applicants believe that claims 26 through 29 are included in Invention II above.

In view of the amendments and above remarks, it is believed that the application is in condition for substantive examination.